



UNITED STATES PATENT AND TRADEMARK OFFICE

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Serge J. Hodgson
Gunnison, McKay & Hodgson, L.L.P.
Garden West Office Plaza, Suite 220
1900 Garden Road
Monterey, CA 93940

NOV 27 2002

In re Application of :
Thomas P. Glenn et al. : DECISION ON PETITION
Application No.: 09/803,083 : TO MAKE SPECIAL
Filing Date: March 8, 2001 :
Attorney Docket No.: G0049M :

This is a decision on the petition filed with the application on March 8, 2001 requesting that the above identified application be granted special status under the provisions of 37 C.F.R. § 1.102(c) and MPEP § 708.02 IV.

The petition is DISMISSED.

The provisions of MPEP § 708.02 IV state that an "application may be made special upon filing a petition including any evidence that the applicant is 65 years of age, or more, such as a birth certificate or applicant's statement." The present petition was accompanied by a copy of the driver's license of applicant Thomas P. Glenn indicating that he is more than 65 years of age. Although this would normally constitute sufficient evidence in order to grant the petition, the status inquiry filed by applicant on October 8, 2002 sadly changed the fact situation. The status inquiry regrettfully mentioned the death of Thomas P. Glenn on December 16, 2001. The death of Thomas P. Glenn unfortunately eliminated the basis on which to grant a petition to make special due to age.

This application is being forwarded to the examiner and will remain in the status of a new application awaiting action in its regular turn.

Edward Westin
Edward P. Westin, Special Programs Examiner
Technology Center 2800
Semiconductors, Electrical and
Optical Systems, and Components